

ALLOWED CLAIMS

Claims 40-52 are allowed.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance: The instant claims are drawn to a fluid transfer device having a piercing mandrel mounted thereon for transferring fluid from a medical vial. The mandrel comprises two parts: a piercing portion and a sealing portion. The piercing portion is a standard mandrel with a pointed tip extending from a cylindrical portion such that it may pierce through the entire thickness of an elastic stopper, as is known in the art. The sealing portion comprises a conical shape that extends from the piercing member and extends toward the top of the vial adapter, as shown in Figure 2. The piercing and sealing portions are configured such that the distal, conical portion of the sealing portion is disposed in the middle of the stopper when the vial is inserted into the device, such that the sealing portion seals hole created by the piercing portion. This configuration prevents fluids from leaking through the stopper, even when a tear in the stopper is created through eccentric application of the needle (as demonstrated in Figures 3-5).

The closest prior art of record is Dudar, which teaches an integral fluid transfer device having a piercing mandrel thereon. The piercing mandrel comprises a conical distal portion (for piercing the septum of a vial) and a cylindrical proximal portion that connects the piercing tip to the top portion of the adapter. Dudar, however, neither

teaches nor suggests the use of piercing portion and sealing portion that has the claimed configuration.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip R. Wiest whose telephone number is (571)272-3235. The examiner can normally be reached on 8:30am-5pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tatyana Zalukaeva can be reached on (571) 272-1115. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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